IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL REVISION No. 79 of 2005

SHRI BALIKA UCHCHA PRATHMIK VIDHYA NIKET
V/S
PIYUSH KUMAR

Mr. AK RAJVANSHY, for the appellant / petitioner

Mr. M MRIDUL Assisted by Mr.SANDEEP SHAH, for the respondent

Date of Order : 13.4.2005

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

The learned trial Court has rejected the petitioner's application filed under Order 7 Rule 11 by observing that the objection can be raised in the written-statement, and shall be decided after framing appropriate issues.

Having heard learned counsel on the controversy precisely raised as a ground for application under Order 7 Rule 11, in my view, the learned trial Court has rightly said that the controversy can be decided by raising appropriate issue at appropriate stage at the time of deciding main suit itself, therefore, I do not find any jurisdictional error requiring interference at this stage.

The revision petition is, therefore, dismissed summarily.

(N P GUPTA),J.

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